

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

January 8, 2016

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, JANUARY 8, 2016, BEGINNING AT 9:01 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Maui County Council shall please come to order.

Mr. Clerk, will you please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, MICHAEL P. VICTORINO, VICE-CHAIR DONALD S. GUZMAN, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER G. RIKI HOKAMA.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, there are eight Members "present" and one "excused". A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And for our opening remarks this morning, we have remarks from Member Stacy Crivello.

OPENING REMARKS

The opening remarks were offered by Councilmember Stacy Crivello.

CHAIR WHITE: Thank you, Ms. Crivello. The, wonderful message for all of us at the beginning of the year, very much appreciated.

And, with that, will you all please rise and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: And, before we proceed, if everyone in the audience will please turn off their cellphones; put them on mute. Thank you very much.

And, Mr. Clerk, may we please proceed.

COUNTY CLERK: Thank you. Mr. Chair, proceeding with presentation of testimony on agenda items. We have established limited telephone interactive communication that enables individuals from Hana, Lanai, and Molokai to provide testimony from our District Offices.

Individuals there who wish to offer testimony should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

And, pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes, with one minute to conclude if requested. And, when testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning, this is Dawn Lono at the Hana Office, and there is no one waiting to testify.

COUNTY CLERK: Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier. Molokai Office?

Mr. Chair, we have three individuals who've signed up to testify in the Council chamber. The first person to testify in the chamber is Susan Guille, Board Member with the Tom Morrow Equestrian Arena. She'll be testifying on County Communication 16-6, to be followed by Jim Smith.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. SUSAN GUILLE (testifying on County Communication No. 16-6):

Good morning, Council Chair White and County Councilmembers. Happy New Year to all of you. I'm Susan Guille. I'm a Board Member of the Tom Morrow Equestrian Arena, located at the 4th Marine Division Park in Haiku.

We, I am here today to support the renewal of our lease of the facility. We have been managing the facility for 13 years now, and also we were involved in the, in the construction and the planning of the facility. It is a community arena that was Tom Morrow's dream. And, we've been maintaining his dream all these years.

It is an arena available to people who do not belong to clubs or have private facilities. We make it available to them for a nominal fee of \$15 per month. We receive no funding from the County of Maui. We are self-sustaining. We pay the insurance to cover the County. And, all those fees come, come from our user fees.

So, I just want to encourage you to please renew the, the lease agreement. And, we look forward to moving forward into the next group of users, as the young people come up to use the arena. Thank you very much.

CHAIR WHITE: Thank you, Ms. Guille.

Members, any need for clarification of the testimony?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Yes, Member Cochran.

COUNCILMEMBER COCHRAN: And, good morning.

MS. GUILLE: Good morning.

COUNCILMEMBER COCHRAN: And, thank you, Chair. And, good morning. Thank you for being here. Yea, it's nice to see this item here.

I just had a quick question. It is active and being used?

MS. GUILLE: Absolutely, yes.

COUNCILMEMBER COCHRAN: Okay.

MS. GUILLE: Yea.

COUNCILMEMBER COCHRAN: Often?

MS. GUILLE: Yea, we have, we have about 25 users right now. It fluctuates, you know, sometimes we have 60 users, sometimes we have 25 users. One of the things that happened when the economic downturn occurred, a lot of people couldn't afford to hang on to their horses, so the horse community kind of shrunk. And, that's kind of a given, you know, given right now, it's starting to grow again. But, it is used daily, yes, absolutely.

And, we maintain it. If you have a chance to go up there and see, we're maintaining the, the property and the facility quite nicely.

COUNCILMEMBER COCHRAN: Okay.

MS. GUILLE: It's always mowed and weed wacked and the arena sand is groomed, so it's always available in a safe manner. If we have a lot of rain or something happens where there's a tree down, we will close it for safety purposes until we can take care of the problem.

COUNCILMEMBER COCHRAN: Okay. Well, very good. Thanks for the work you do there.

MS. GUILLE: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

VICE-CHAIR GUZMAN: Chair.

CHAIR WHITE: Yes, Mr. Guzman.

VICE-CHAIR GUZMAN: Yea, yea, thank you. Thank you for coming down today--

MS. GUILLE: Thank you.

VICE-CHAIR GUZMAN: --this morning. Is there a fee that, that you charge on a general?

MS. GUILLE: Yes, we charge a \$15 a month fee for someone to use the facility. And, we need to do that because we are self-sustaining. We don't get any County funding to maintain the facility. So, it's a nominal fee. If you were to ride at a, at a horse barn on the island, for just one ride, you would pay \$15. And, we charge \$15 usage fee for the whole month--

VICE-CHAIR GUZMAN: Wow.

MS. GUILLE: --and for you to ride as much as you like. And, if it's a family, it's, its \$20 a month for a whole family of four.

VICE-CHAIR GUZMAN: Very good. Thank you, Chair.

COUNCILMEMBER VICTORINO: Chair, one quick if I may?

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: And, thank you. And, thank you for all, all what you do. And, I know Tom's memory lives well in that facility.

MS. GUILLE: Yes, it does.

COUNCILMEMBER VICTORINO: And, we all still remember him standing on the side of the road on his horse waving during campaign season.

MS. GUILLE: I know, we, we miss him.

COUNCILMEMBER VICTORINO: We do, we do.

Is there any other sources of income, grants or anything else that you guys go after, or is this \$25 and whatever you can get, \$15 from the individuals, enough to take care of everything?

MS. GUILLE: Yea. You know, it's, it's hard, cause most of the work we do up there is volunteer. So, most of the labor is done volunteer. The board is volunteer, everything is volunteer, so no one's getting paid for anything.

And, we're trying to, you know, if we have less users, it's, it's a little bit of a struggle because the insurance costs us to insure the County and the Parks Department about \$1600 a year. So, you know, we try to make it work. And, like I said, if we have less users then our income is a little bit less, so it just really depends. But, we have some money in the bank, not a lot but some.

So, if something catastrophic happens, we may have to ask the Parks Department for a little bit of help there. If, you know, there's a big storm, we did have a big storm a few years ago and the sand kind of blew around, and we, the Public Works Department was able to come down with some of their equipment and help us move it around. So, so we have gotten, you know, help from the County, from different departments when we need it. But, but we don't ask for any financial help. I mean, it would be nice, but we are a nonprofit and we do have the ability to fundraise if we need to.

COUNCILMEMBER VICTORINO: Very good. Thank you, Chair. And, that shows another example of the community coming together to keep something, somebody's dream alive, especially Mr. Morrow and all the things he did for this County.

Thank you, Susan. Thank you, Chair.

MS. GUILLE: You're welcome.

CHAIR WHITE: Thank you.

MS. GUILLE: And I will just say that, you know, that's one of the reasons we're motivated to do this, is because that was Tom's dream to have a community arena for those who did not belong to a private club or a private barn. To make it affordable, especially for young people and families to come up there and enjoy their horses and stuff. So, that's why, you know, we don't want to see it become a club arena or something. We want to keep it a community arena, just so it's available for those folks that aren't involved in those particular entities. Thank you so much for your time.

CHAIR WHITE: Thank you, Ms. Guille.

Any, any further clarifications, Members? Seeing none, thank you very much for being here this morning.

MS. GUILLE: Okay. Thank you very much.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Jim Smith testifying on Committee Report 16-4 and County Communication No. 16-5, to be followed by Rosemary Robbins.

MR. JIM SMITH (testifying on Committee Report 16-4 and County Communication No. 16-5):

Aloha. My name is Jim Smith. I'm from Haiku. Happy New Year.

CHAIR WHITE: Happy New Year.

MR. SMITH: This year is the Year of the Monkey, okay. And, there are old monkeys, and old monkeys are wise monkeys. And, there are young monkeys, and young monkeys are dangerous. They chat a lot, and those types of things. But, I see we have wise monkeys on this Council, and I'm grateful for that for this coming year.

I live in Haiku, and I knew Tom. And, I've used the arena, and the arena has been life-saving. When you get a new horse and you need to train, and you don't have a lot of access to arenas, something like this is so important. And, I've known Sue, and she has brought such good energy to the horse community.

And, it all is not separate from you, which means, if you feel as though you want to put some money, okay, to that organization so we lower the monthly fee, don't hesitate. Don't hesitate with projects to help them at all, because that's the blood, that's the bones of our community. And, and, I'm just so grateful that it's there and hope it continues. Thank you very much on that issue.

Tom's time was a different time, okay. But, you are in the same seats, okay. And, you've got to bring that back. You've got to bring that focus on right procedures. Focus on the example of not going with the best sound, or the sweetest look, or the most number, but the right way of doing it. Because that means words matter about process. And, if they don't matter, then why have a Charter? Why have law? Let's just have a board of directors and forget it. So, you're ours, and that's why it's so important for this Council, okay, to think of Tom's time, think of Tom's time. Show trust in what we are. Thank you very much.

My second testimony has to do with a Planning Committee Report No. 16-4, okay. And, this is, this is troubling. Our Charter says that a Planning Commission reviews ordinances that this Council approves. And, that's their responsibility. And, they bring the community there, the intelligent community there, to review your work, respond, and get back to you. And, that's how the Charter function is supposed to work. And, this committee report seems to turn it on its ear.

So, you, you're sending to them a bill to put commercial composting on agricultural land. The bill contains nothing about the size of lot. It contains nothing about noxious smells, or sounds, or anything. It just has a definition. And, then you want the Department of Planning to come in and do your work. And, then you want the Health Department to come in and say how important it is to do this and that. And, then you want to sit back and say, well maybe, maybe not. But, the way Tom's time was, you worked on the bill and you brought it to the Planning Commission, and that's why they are there, is to hit hard on your hardest ball, okay. And, it doesn't happen with this kind of resolution.

So, I would ask you to bring it back to Committee. And, if you want to put in commercial composting, as well as commercial every other thing on any size lot, well then, I think you need to readdress the notion of regulating land use, okay. I think you need to go to the Legislature because your responsibility is to protect lifestyle, like Tom; not to sell garbage or rent housing on ag land. And, this is what's being missed.

So, I'd ask you to take this one, two small amendments to a dysfunctional chapter that's become dysfunctional by this effort to increase wealth. I, I think this would be a good start to January and to '16, is to recommit this and do the work, and then commit it to the Planning Committee, and let them hit you hard or not. Certainly don't rely on a single individual coming up and rattling bones, or making a lot of chatter, and jumping up and down and swinging arms in spite of its age. Thank you so much.

CHAIR WHITE: Thank you, Mr. Smith.

Members, any need for clarification on his testimony? Seeing none, thank you again for being here this morning.

MR. SMITH: Aloha.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Rosemary Robbins testifying on County Communication 16-2, 16-8 and Bill 87.

MS. ROSEMARY ROBBINS [testifying on County Communication Nos. 16-2 and 16-8, and Bill No. 87 (2015)]:

Good morning, everybody. Happy New Year again. Work to be done, work being done; good news. First thing that I'd like to bring to our attention this morning is on page 3 of our agenda for today. It's identified as No. 16-2, under the category of communications. And, it's a resolution drawn up by Chair White, transmitting a proposed resolution entitled "URGING THE LEGISLATURE, STATE, TO PROVIDE THE COUNTIES WITH THE SAME SHARE OF TRANSIENT ACCOMMODATION TAX REVENUE AS THE STATE".

I got a hold of the resolution, once again, thanks to the folks on the seventh floor who made this readily available, this No. 16-2 that I just referenced. And, a couple of things that I was attracted to on this. Second paragraph says, "WHEREAS, pursuant to Act 185, 95 percent of the transient accommodations tax", so folks who come in and visit us, "revenue was returned to the County under a statutorily established formula, with the State retaining five percent of the revenue for administration purposes". That was the history, okay.

But, then, the State subsequently diminished the County's share of that TAT revenue at various times, for multiple purposes, with revenue directed to the Hawaii Convention Center, island of Oahu, and the Tourism Special Fund, respectively, and with artificial caps on distribution to the Counties. So, the other Counties, besides Oahu, were accustomed to getting this, and then it got cut. And, now they're getting a huge bulk of it. We, who are the closest to the number one spot of the best islands in the world, we're among the three Counties that got sliced in that. So, let's make that distribution something that would be more realistic.

And, down on the bottom of page 1 of the resolution, it cites that Civil Beat, that's a group that keeps an eye on stuff reported the following on December 30, last month. "The state has hauled in record amounts of that tax revenue over the past few years by limiting the counties' allocation. Without the cap, the counties would have seen millions of additional dollars as the tourism industry has grown." So, there are legal thoughts on this, and certainly, let's play fair. Thank you.

Okay, and the second one that I would like to speak to is ordinance, Bill No. 87. And, it talks about, about, for one thing, in the Water Department, where our debts are.

And, down here, on page 1 of this Department of Expenses *[sic]* from the Water Fund, Debt Service, \$5,761,368, wow. This is the debts that we have incurred for not having done the right thing to begin with, that laws were on the book and very readable.

So, there are categories listed on here. And, anybody is available to get this from the seventh floor, so you've got an in hard copy, to be able to read this. And, the Water Operations, Water Fund, has gone down from what had been predicted to being \$31,794,591. Those are huge amounts, much too big to not be recognized as being problematic. Who's going to pay for those? Hello taxpayers.

So, please make sure that you're aware of what that is and where you can get the materials. And, for those who do use computers, you don't have to get to the seventh floor, wonderful folks here, but that data is available to you.

Okay, and then the third item that I wanted to talk to was about electronic submittals from the Administration. And, as in testimony previously this week, we identified that things that were in brackets were things that were recommended as being taken out of the standard operating procedures that have been a problem to some of us. So, so when we're looking at this, and they're talking about the fact that people can receive information coming through computer avenues, wonderful.

I'm all in favor of that, although I myself am not using that particular set of roots to, to follow through on an automobile accident. But, indeed, the material is available. And, I would just like to make sure that not only from within the departments here, but that the concerned citizens who are not able to use the computer systems, that that material will still be available in hardcopy for them. Thank you.

CHAIR WHITE: Thank you, Ms. Robbins.

Members, any need for clarification of the testimony? Seeing none, thank you very much for being here this morning.

MS. ROBBINS: You're welcome.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next individual to testify is Tyler Dos Santos-Tam, Executive Director with the Hawaii Construction Alliance, testifying on Committee Report 16-3.

MR. TYLER DOS SANTOS-TAM, HAWAII CONSTRUCTION ALLIANCE, (testifying on
Committee Report 16-3):

Good morning, Councilmembers. Happy New Year. Again, I'm Tyler Dos Santos-Tam. And, I'm the Executive Director of the Hawaii Construction Alliance, which represents the State's 15,000 unionized carpenters, laborers, cement masons, bricklayers, and operating engineers.

You know, I, I came today to talk about housing, and specifically this proviso. You know, we're strongly in support of efforts to identify, you know, where the needs are. And, you know, we think it's absolutely time for another check in to see where we're at.

The last study came out in 2011, and it revealed a number of things which were not surprising to anyone. One of which is that our housing policies continue to contribute to high cost to consumers. And, and very few affordable units have been created thus far. But, now that the Workforce Housing Policy has been changed, and a number of other policies, hopefully, will be looked at as well, you know, it's important to get a new benchmark.

For 2016, we see a number of positive signs on the horizons, supply-wise, here in Maui County. Projects like Kamalani in Kihei are ready to go, and that's 600 homes that local families, hopefully, will have the opportunity to live in. There's projects like Kahoma Village and Waiale, also on the horizon. And the County has been doing a lot on affordable housing projects as well. There's also some headwinds that we're seeing, you know, rising interest rates. Of course, recent job losses, we're, we're very concerned about that. But overall, I think 2016 is going to be a good year.

And, I want to commend you guys for the work that you're doing on affordable housing here in Maui County. You guys have been very proactive. And, we'll continue to be here providing our mana`o as best as we can when it comes to housing, so thank you.

CHAIR WHITE: Thank you very much, Mr. Members, any need for clarification of the testimony? Thank you very much for being here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no other individuals signed up to testify in the Council chamber. If there's any other individual in the chamber at this time or the District

Offices that would like to testify, please identify yourself to the appropriate staff and proceed to the testimony lectern or the District Office at this time.

Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Mahalo.

Lanai Office, are there any additional testifiers?

MS. FERNANDEZ: The Lanai Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, are there any additional testifiers?

Mr. Chair, we're having technical difficulties out of Molokai, however, Ms. Alcon did advise us that there's no, no individuals wanting to testify on Molokai.

And, Mr. Chair, there's no individuals both in the District Offices or the chamber that wish to provide testimony at this time.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, I note that we have received written testimony. Without objection, we'll enter that into the record.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM TYLER DOS SANTOS-TAM OF THE
HAWAII CONSTRUCTION ALLIANCE WAS MADE A PART OF
THE RECORD OF THIS MEETING.

CHAIR WHITE: And, with no objections, we'll close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you very much. Public testimony is closed.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meetings of November 6, 2015, and November 20, 2015, and the special meeting of November 24, 2015, were presented at this time.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

MOVE TO APPROVE THE REGULAR MINUTES OF
NOVEMBER 6, 20, AND 24.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Guzman and a second from Mr. Victorino.

Mr. Guzman.

VICE-CHAIR GUZMAN: Nothing further, Chair. Thank you.

CHAIR WHITE: Thank you. Members, any discussion on the minutes? Any changes required? Seeing none, all those in favor of the motion please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused"; and that is Mr. Hokama.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 16-1 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 1 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE - SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, CIVIL DEFENSE AGENCY (STATE HOMELAND SECURITY GRANT (SHSG) PROGRAM)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATION OF YOUR
BUDGET AND FINANCE COMMITTEE REPORT 16-1.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. On behalf of Chair Hokama, your Committee met on December 15, 2015, to consider a proposed bill for the Civil Defense Agency, to accept an additional \$244,000 for the State Homeland Security Grant Program. The total amount of funds that this program, for the Fiscal Year 2016, will encumber, will bring us \$744,000.

The proposed project is for the granting of fundings; including purchases of electric generators, improvements of the computer network security, and enhancement of the 911 backup capabilities.

The project will improve the County's emergency preparedness.

I respectfully ask the Council and the Committee to bring this forward, and to support this proposal. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", one "excused".

Mr. Clerk.

COMMITTEE REPORT

NO. 16-2 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 2 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FINANCE, COUNTYWIDE COSTS," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN BUDGET
AND FINANCE COMMITTEE'S REPORT 16-2.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. Again, on behalf of Chair Hokama, your Committee met on December 15, 2015, to consider the proposed bill to transfer \$1.5 million from the Countywide, from the Countywide Costs, Fringe Benefits, to the Countywide Costs, Insurance Program and Self Insurance, to consolidate appropriations for, for insurance-related activities.

Currently, the insurance-related expenditures are on record under two accounts managed by the Department of Finance, and the Department of Corporation Counsel.

The consolidation of the insurance funds into one account was recommended by the County's independent auditor and will allow all insurance expenditures to be managed by the Department of Corporation Counsel, Risk Management Division. The Division is in charge of monitoring and controlling, excuse me, risk and associated costs, including administration of the workers' comp claims.

I respectfully ask the Council's support for your Committee's recommendation.
Thank you, Mr. Chair.

CHAIR WHITE: Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILL NO. 2 (2016).

COMMITTEE REPORT

NO. 16-3 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 3 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2016, AFFORDABLE HOUSING FUND, 2015 HAWAII HOUSING PLANNING STUDY," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATION OF THE
BUDGET AND FINANCE COMMITTEE REPORT 16-3.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Mr. Hokama [sic], on behalf of the Chair, your Committee, we met on December 15, 2015, to consider the proposed bill to add an appropriation of \$120,000 to the Affordable Housing Fund for the 2015 Housing Planning Study for the County of Maui.

The Hawaii Housing Finance and Development Corporation will contract for the Study in conjunction with other State and County agencies.

The Study will be, will be used to justify the use of federal funds on the County housing projects and the Department's Section 8 Housing Program. Additionally, the Study will determine a fair market rental use of the Section 8 Program for the Housing Choice Voucher program.

I respectfully ask the Council's support for your Committee's recommendation. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL 3 (2016).

COMMITTEE REPORT

NO. 16-4 - PLANNING COMMITTEE:

Recommending that Resolution 16-1, entitled "REFERRING TO THE LANAI, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO COMPOSTING," be ADOPTED.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN PLANNING
COMMITTEE REPORT 16-4.

COUNCILMEMBER CARROLL:

SECOND.

COUNCILMEMBER COCHRAN: Mr. Chair, oh.

CHAIR WHITE: We have a motion from Mr. Couch, with a second from Mr. Carroll.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Your Committee met on September 24, 2015, and December 16, 2015, to review a proposed resolution to refer the planning, to the planning commissions a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO COMPOSTING".

The purpose of the revised proposed bill is to establish regulations to allow for commercial composting as a permitted use on land zoned as agriculture. The Comprehensive Zoning Ordinance does not permit commercial composting on agricultural land using off-site materials.

Your Committee recommended adoption of the proposed resolution after extensive discussion and extensive work, contrary to some testimony that was out.

I respectfully ask for the Council's support of the Committee's recommendation. Thank you, Chair.

CHAIR WHITE: Any further discussion, Members?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, thank you, Mr. Couch, for putting this through the Committee and all the work you allowed on it.

And basically it is to assist our farmers. And, it's a help to, is you know, assist in waste that is produced on-site where others may not, cannot, you know, gather and, and compile it on their property. And, people would love this opportunity to go and purchase compost from somewhere else to add to their farming practices.

So, I see it as a, as a addition and a plus to encourage our farming community to grow and prosper. So, looking forward this to going through the discussion in the general public via all the planning commissions, and seeing what we get back, and, and adopt it as soon as possible so we can get this type of practice more prevalent throughout our County. So, thank you for this opportunity, Chair.

CHAIR WHITE: Thank you, Ms. Cochran.

Any further discussion?

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I also am in support of this measure. However, I do have some reservations on, as I'd stated in the Committee, as the transportation of the green waste across the County due to the fact of the invasive species that we have, you know, the fire ants and, and so on so forth.

But, and also, I also had questions on the type and the, the acreage, or the limitations of how big these compost productions will be. But, I, I, I think once it gets vetted through the commissions, we'll have another opportunity to look at that. And, hopefully we can get those resolved. Thank you, Chair.

CHAIR WHITE: Yup. Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 16-1.

Mr. Chair, proceeding with county communications.

COUNTY COMMUNICATION

NO. 16-1 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated December 8, 2015)

Transmitting 52 contracts/grants for the month ending November 2015.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. And, before I make any motion, I would like to request that if any Member has any contract they would, they would like to have referred to the Budget and Finance Committee, please to let it be made known today.

CHAIR WHITE: Members, are there any requests for referral?

VICE-CHAIR GUZMAN: Chair.

CHAIR WHITE: From the list of contracts?

Mr. Guzman.

VICE-CHAIR GUZMAN: May, may I request a referral to the EAR Committee, the construction Contract No. C5894, as well as the construction Contract C5902? Thank you, Chair.

CHAIR WHITE: Members, are there any objections to those two referrals noted by Member Guzman?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Without objection.

Mr. Victorino.

COUNCILMEMBER VICTORINO: And, Mr. Chair, we, on behalf of Chair Hokama, he would like to see Contract C5879 referred to Budget and Finance. And, I have also asked for Contract C867 *[sic]* to be referred to Budget and Finance on my behalf.

So, it'll be contracts, if I'm correct, C5879, C5867, and the two that Mr. Guzman has requested is C894 *[sic]* and C902 *[sic]* to EAR. Is that correct?

VICE-CHAIR GUZMAN: Thank you, Chairman.

COUNCILMEMBER VICTORINO: So, without--

CHAIR WHITE: To, to EAR or to Budget and Finance?

COUNCILMEMBER VICTORINO: He's asking for EAR and--

VICE-CHAIR GUZMAN: Yes.

CHAIR WHITE: Is that correct? Okay.

VICE-CHAIR GUZMAN: Yes, yes, Chair, I just request those two contracts to be referred to EAR.

CHAIR WHITE: Okay.

VICE-CHAIR GUZMAN: They deal with recreational.

CHAIR WHITE: Okay. Members, are you clear what the referrals are, two to EAR, and the other two to Budget and Finance? Okay.

COUNCILMEMBER VICTORINO:

SO, WITHOUT ANY, WITHOUT ANY OTHER REQUEST, I
MOVE THAT THE FILING OF COUNTY COMMUNICATION
16-1 WITH THOSE CONTRACTS BEING BROUGHT OUT TO
BE REVIEWED BY THE VARIOUS COMMITTEES, AS
REFERRED BY THE, BY YOU, THE CHAIR.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino and a second from Mr. Couch.

Any further discussion, Mr. Victorino?

COUNCILMEMBER VICTORINO: No, no discussion, Chair.

CHAIR WHITE: Okay. Any discussion from the other Members? Seeing none, all those in
favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

NO. 16-2 - MIKE WHITE, COUNCIL CHAIR,
(dated December 30, 2015)

Transmitting a proposed resolution entitled "URGING THE LEGISLATURE TO PROVIDE THE COUNTIES WITH THE SAME SHARE OF TRANSIENT ACCOMMODATIONS TAX REVENUE AS THE STATE".

CHAIR WHITE: Mr. Clerk, we're going to take a quick recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 9:47 A.M., AND WAS RECONVENED AT 9:47 A.M., WITH ALL MEMBERS PRESENT, EXCEPT COUNCILMEMBERS BAISA AND HOKAMA, EXCUSED.)

CHAIR WHITE: This meeting shall come back to order.

Members, we had originally discussed the, or planned on putting this resolution up for adoption today. But, without objection, I would like to refer it to Committee because there's no significant time sensitivity to this. And, I think it, it, I think we would all benefit from further discussion at the Committee level.

So, without objection, the Chair would like to refer this to the PIA Committee for further discussion.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: And, the, the reason I think it's appropriate for us to have additional discussion on this is that, just for perspective, if you go back to 1997, there was a total TAT generation throughout the State of about 126 million. Of that, the Counties split a total of 101 million, a little bit less than that, but a round number is 101 million.

By 2007, TAT production had grown to 224 million. The Counties still received only 101 million.

(Councilmember Baisa returned to the meeting at 9:48 a.m.)

CHAIR WHITE: Now, the TAT generated by the hotels and lodging establishments throughout the State has increased to 425 million and the Counties share remains at 103 million.

So, over an 18-year period, we've gotten an increase of \$2.2 million while the State, the State's share has increased from a little over 6 million to over 200 million. So,

they took the money when they, they had a loss of revenue when the, when the economy went a little bit south. They lost about 9.8 percent of their revenues.

But, since 2010, their revenues have grown at about a 34 percent rate, or about \$1.6 billion. And, during that same timeframe, our, our base for taxation, which is property values, remains here on County, in the County of Maui. We're still 19 percent. This is 2015, 2016, that came up, and I haven't done that figure. But, in 2015, we remained about 19 percent lower in property values than we were just five years ago.

So, the State has helped themselves to the TAT when they needed it. But, now that the Counties are in the, the same pickle, they're not willing to make any adjustments to provide a greater share of that to the Counties.

So, to put that in perspective, since 2007, the cost of the Counties, the four Counties, for just Fire, Police, and Parks, which obviously serve the visitors to a great degree, have increased by \$170 million while the share of the TAT, to cover the visitors share of the, those expenses, has grown by 2.2 million.

I went back and looked at this year's supplemental budget offered by the, the Governor, and the increase in general fund revenues only has gone from approximately, well I, I don't remember what, what it went. I remember the increase. The increase is 547 million since last year. Two years ago, compared to two years ago, the increase is \$825 million. And, compared to three years ago, it's one, one billion one-hundred and fifty million, or a 19 percent increase. Well, you all know that our budgets have not seen a 19 percent increase because we've been concerned about raising, raising taxes too much.

So, I think it's fair for us to be looking at asking the State for a larger share of the money from the TAT than we've been getting in the past. So, that's, that's the reason why we're putting this resolution forward. So, thank you for not having any objections to have a further discussion at the Committee level.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. May I ask if Mr. Victorino has accommodation for scheduling this at an early matter in his Committee? And, if so, would it be possible to have a panel type discussion to bring in the, the various entities or personnel that could speak on behalf of the different issues regarding this matter?

CHAIR WHITE: Yea, we'll, I'm sure Mr. Victorino will do whatever he can. There's, even though the legislative session is, is beginning shortly, as long as we get it to them within the next month or so, I think we're in good shape, so.

COUNCILMEMBER VICTORINO: That's correct, Mr. Chair. And, we'll do what we can. As far as the entities that are involved, that might be a little more of a challenge because you're talking to legislators. And, once session starts, it's really difficult to get them to come to something special like what we're asking for. But, I will do my best, and I'll see what I can do.

And, HSAC is in very much in support of the overall concept of returning TAT, the fair amount of TAT to the Counties also. So, as far as the HSAC representative, I can tell you that we're working on two fronts at this time. So, thank you, Mr. Chair.

CHAIR WHITE: Thank you. And, with that, we'll refer that item to PIA.

The recommended action is that County Communication No. 16-2 be referred to the Policy and Intergovernmental Affairs Committee.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, the following county communications will be referred to the following Committees as noted:

NO. 16-3 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated December 23, 2015)

Transmitting a proposed resolution entitled "AUTHORIZING THE SECOND AMENDMENT TO LICENSE FOR THE 100-ACRE PARCEL IDENTIFIED AS TAX MAP KEY NUMBER (2) 3-6-002:004, PURSUANT TO SECTION 3.40.180, MAUI COUNTY CODE".

The recommended action is that County Communication No. 16-3 be referred to the Budget and Finance Committee.

NO. 16-4 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated December 22, 2015)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of November 30, 2015.

The recommended action is that County Communication No. 16-4 be referred to the Budget and Finance Committee.

NO. 16-5 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated December 7, 2015)

Transmitting a proposed resolution entitled "APPROVING AND AUTHORIZING THE EXECUTION OF A PARK ASSESSMENT AGREEMENT FOR THE KAMALANI SUBDIVISION, PURSUANT TO SECTION 18.16.320, MAUI COUNTY CODE".

The recommended action is that County Communication No. 16-5 be referred to the Economic Development, Energy, Agriculture, and Recreation Committee.

NO. 16-6 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated December 7, 2015)

Transmitting the proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY RECREATIONAL SPACE TO TOM MORROW EQUESTRIAN ARENA".

The recommended action is that County Communication No. 16-6 be referred to the Economic Development, Energy, Agriculture, and Recreation Committee.

NO. 16-7 - TEENA RASMUSSEN, ECONOMIC DEVELOPMENT DIRECTOR,
(dated December 14, 2015)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 22.04A, MAUI COUNTY CODE, RELATING TO KULA AGRICULTURAL PARK".

The recommended action is that County Communication No. 16-7 be referred to the Economic Development, Energy, Agriculture, and Recreation Committee.

NO. 16-8 - MIKE WHITE, COUNCIL CHAIR,
(dated December 30, 2015)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.60.010, MAUI COUNTY CODE, RELATING TO ELECTRONIC COMMUNICATIONS".

The recommended action is that County Communication No. 16-8 be referred to the Policy and Intergovernmental Affairs Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you very much.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 87 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO THE DEPARTMENT OF WATER SUPPLY,
ADMINISTRATION PROGRAM - WATER FUND, AND
WATER OPERATIONS PROGRAM - WATER FUND

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you.

I MOVE TO PASS BILL 87 (2015) ON SECOND AND FINAL
READING.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: The bill amends Fiscal Year 2016 Budget by transferring \$65,000 from the Department of Water Supply, Water Operations Program - Water Fund, to the Department of Water Supply, Administrative Program - Water Fund. The funds will be used to lease a copier and purchase meter reading equipment.

The bill will incorporate corresponding amendments to Appendix "C" of the Budget. I respectfully ask the Council's support on this bill. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion on this item? Seeing none, all those in favor, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 88 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS,
HIGHWAYS ADMINISTRATION PROGRAM - HIGHWAY FUND,
ROAD, BRIDGE, AND DRAINAGE MAINTENANCE PROGRAM - HIGHWAY FUND,
TRAFFIC MANAGEMENT PROGRAM - HIGHWAY FUND

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

AGAIN, ON BEHALF OF CHAIR HOKAMA, I MOVE TO PASS
BILL 88 (2015) ON SECOND AND FINAL READING.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Again, this bill amends the Fiscal Year 2016 Budget by transferring funds within the Department of Public Works - Highways Fund Program for projected premium pay shortfalls incurred during the hurricane warning pre-mitigation efforts.

The bill also incorporates corresponding amendments to Appendix "C" of the Budget. I respectfully ask the Council for the support on this bill. Thank you, Mr. Chair.

CHAIR WHITE: Thank you. Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 89 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
WAILUKU-KAHULUI COMMUNITY PLAN AREA, SEWER,
WAILUKU-KAHULUI TREATMENT PLANT UPGRADES;
TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Mr. Chair, with no objections, I would like to ask for Bill No. 90 (2015) to also be called up.

CHAIR WHITE: Members, any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 90 (2015)

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228,
BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF
GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI
(WAILUKU-KAHULUI TREATMENT PLANT UPGRADES)

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

UPON THE REQUEST OF CHAIR HOKAMA, I MOVE TO
POSTPONE BILLS 89 AND 90 TO COUNCIL MEETING DATE
CERTAIN JANUARY 22, 2016, TO ENABLE THE BUDGET
AND FINANCE CHAIR TO BE PRESENT WHEN THESE BILLS
ARE CONSIDERED.

CHAIR WHITE: Members, any objections to postponing actions?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER VICTORINO: But, don't, don't we have to have a motion?

CHAIR WHITE: Oh, I'm sorry.

COUNCILMEMBER VICTORINO: Yea, I moved.

VICE-CHAIR GUZMAN:

SECOND.

COUNCILMEMBER VICTORINO: I'm sorry, Mr. Chair. Yea.

VICE-CHAIR GUZMAN: Second, Chair.

CHAIR WHITE: Okay, we have a motion from Mr. Victorino and a second from
Mr. Guzman.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Again, as I stated earlier, it was a request from the Chair Hokama to be present when this bill, these two bills would be brought forward. So, he has put a date certain at our next Council meeting, January 22, 2016.

CHAIR WHITE: Okay.

COUNCILMEMBER VICTORINO: No further discussion.

CHAIR WHITE: Any, any discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 91 (2015)

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 3.44,
MAUI COUNTY CODE, PERTAINING TO
THE ACQUISITION AND DISPOSITION OF REAL PROPERTY

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you very much, Chair.

I MOVE TO PASS BILL 91 ON SECOND AND FINAL
READING.

VICE-CHAIR GUZMAN:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran and a second from Mr. Guzman.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you very much, Chair. Bill 91 seeks to streamline the County's processes pertaining to real property transactions. The bill enables the Finance Director to acquire or accept conveyances of real property and easements related to County's infrastructure, including its water system, sewer systems, roadway and drainage systems, and park systems.

In addition, the bill allows the Finance Director to waive appraisals for acquisitions of small parcels where the appraisal costs likely exceeds the acquired property's value, and for exchanges related to road, bridge, and drainage related improvements.

The bill further seeks to increase the threshold values for real property acquisitions that require Council approval.

To preserve the Council's oversight of real property transactions, the bill requires Council to be notified within five days after any acquisition, exchange, or conveyances made without Council approval.

In addition, the Council will receive annual reports of all acquisitions made and conveyances accepted by Finance Director. These reporting requirements will keep the Council abreast of County's real property transactions related to infrastructure, and provide data for reviewing the efficacy of the County's policies pertaining to those transactions.

Lastly, the bill clarifies the language of Chapter 3.44, Maui County Code, relating to procedures governing the County's acquisition and disposition of real property.

I respectfully ask for this Council support of Bill 91. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Cochran.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

VICE-CHAIR GUZMAN: Chair.

CHAIR WHITE: Thank you very much.

Mr. Guzman.

VICE-CHAIR GUZMAN: Chair, I raise a point of personal privilege.

CHAIR WHITE: Please proceed.

VICE-CHAIR GUZMAN: Thank you, Chair. I'd like to welcome to the chambers Ms. Michelle Saquido. She's visiting from the Philippines, and she's from the Office of the President Aquino. So if, I'd like to welcome her to our chambers here. Thank you, Chair.

CHAIR WHITE: Welcome from Maui County. And, thank you, Mr. Guzman, for bringing that up.

COUNCILMEMBER VICTORINO: Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: A point of personal privilege if I may. I'd like to send out a, a happy birthday wish to my lovely wife. And, I won't say how old.

COUNCILMEMBER COCHRAN: You better not.

COUNCILMEMBER VICTORINO: She's still 19 and she'll never change. But, I want to wish her a, a happy birthday. And, I'm looking forward to taking her out to dinner tonight.

CHAIR WHITE: You played that one very well.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

CHAIR WHITE: Members, any, any further items, since we're giving some, some personal privileges? Seeing none, I want to thank everyone for being here this morning. And, with that, we are adjourned.

ADJOURNMENT

The regular meeting of January 8, 2016 was adjourned by the Chair at 10:04 a.m.

A handwritten signature in black ink, appearing to read "Dennis A. Mateo", is written over a horizontal line.

DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 348-8885

January 6, 2016

The Honorable Mike White, Chair
and members
Council of the County of Maui
200 South High Street
Wailuku, Hawai'i 96793

RECEIVED
2016 JAN -6 PM 3:06
OFFICE OF THE
COUNTY CLERK

RE: Support for Committee Report 16-3

Dear Chair White and members,

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of our state's construction industry.

The Hawai'i Construction Alliance recognizes the great need for affordable workforce housing throughout the State of Hawai'i, and particularly in Maui County. We have been and will continue to be a strong advocate for various housing projects, including Kahoma Village in Lāhainā, Kamalani in Kīhei, and Wai'ale in Wailuku-Waikapū. We hope that there will be even more opportunities to create housing that local families can afford and that skilled local tradespeople can build in the years ahead to meet the needs of Maui's growing population.

Accordingly, we are in strong support of the proposal to add a \$120,000 proviso to the Affordable Housing Fund for the 2015 Hawaii Housing Planning Study for the County of Maui. The study would examine a number of areas, including housing market data, demographic and economic conditions, the supply of housing, housing needs for specific populations, and an inventory of government-assisted housing stock, among others.

We are confident that such a study will better inform you as policy-makers and the public at large about the needs that Maui County faces in regard to housing. Therefore, we humbly request your favorable action on this committee report and look forward to supporting this proposal at future hearings.

Mahalo,



Tyler Dos Santos-Tam
Executive Director
execdir@hawaiiconstructionalliance.org